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side, and the peoples side by so doing it. I hope that you turn Senator Barnett's motion down. This bill has been introduced before in some form, but it was always on a district basis of a Congressional thing and that is the reason we turned it down before in other years. This one, keeps the districts set up in six compact districts. I hope that you turn Senator Barnett down. Thank you.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I agree with Senator Luedtke and Senator Syas. I think that the Barnett motion is a poor motion. We have had instances where we have had to call the District Judges to serve on the Supreme Court bench because of necessity. I think that the District Judges have a full load. There are plenty of cases for them to handle in their own courts. I think that to support the Barnett motion would be a mistake and I would hope that we could vote it down.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: I have really two comments and one is in the form of a question. But, basically I am very apprehensive about the fact that we are destroying the balance of power, reducing it to almost 50%. Right now it takes 71% of the Supreme Court to over rule the Legislature. With the passage of this it would take 55%. I think that we are destroying a power that belongs with the legislature and destroying a balance that should be upper most in our own minds, and a very critical consideration. Secondly, I am curious not being an attorney, thankfully, I would ask possibly Senator Cavanaugh if the Supreme Court does not in many cases refer to other lower courts certain cases that it deems suitable rather than to hear those cases themselves. Am I incorrect in that Senator? They do not assign any case that comes before them such as an Industrial Court of Relations case, they do not have the power to ask a lower court to hear that?

PRESIDENT: Senator Murphy are you asking a question?

SENATOR CAVANAUGH: On appeal? (inaudible) has to be decided in the Supreme Court.

SENATOR MURPHY: I would imagine that there are certain cases that come before them Senator and it seems to me that not too long ago that I was told, or read that a case had been referred to a lower court for an initial hearing or a consideration.

SENATOR CAVANAUGH: Well the Supreme Court will often remand a case to be reheard. But, the court must decide all appeals taken too it.

SENATOR MURPHY: Other than those that they refer back to the courts then.....